



PATENTS
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B-0702
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REISSUE APPLICATION

Patentees/
Reissue Applicants : Stuart A. Fraser et al.

Application No. : 09/859,661 Conf. No. 3933

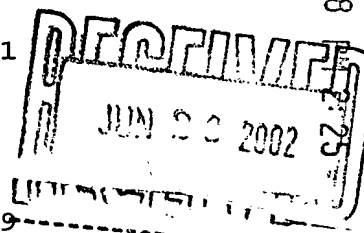
Filed : May 17, 2001

For Reissue of
Patent No. : 5,905,974

Issued : May 18, 1999

For : AUTOMATED AUCTION PROTOCOL
PROCESSOR

Group Art : 2161



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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
AND SUMMARY OF TELEPHONE INTERVIEW

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, applicants again draw the Examiner's attention to events described in three separate declarations, enclosed herewith, made by the three inventors in the above-captioned application, and a binder, also enclosed herewith, containing documents referred to in two of the aforementioned declarations. Applicants also again draw the Examiner's attention to events described in two separate declarations, enclosed herewith, of two attorneys, James Bollinger, Esq. and Bradley Ruben, Esq., who were involved in the prosecution of the patent

application that issued as United States Patent No. 5,905,974 on May 18, 1999.

Applicants have previously filed those declarations and documents in a Supplemental Information Disclosure Statement on February 21, 2002. The Examiner commented in commonly-assigned, co-pending Application No. 09/294,526, in an Office Action dated April 24, 2002, that the "Supplemental Information Disclosure Statement had been renamed, 'Letter Regarding Declarations,' and that the documents in the binder 'cannot be considered prior art under 37 C.F.R. § 1.98.'"

On May 8, 2002, in a telephonic interview with applicants' undersigned representative, Joel Weiss, the Examiner stated that he would consider the declarations and the binder of documents in commonly-assigned, co-pending Application No. 09/294,526, if they were resubmitted with a Form PTO-1449. In a separate telephone conference on or about May 29, 2002, the Examiner also agreed that he would consider the declarations and the binder of documents in the above-captioned Reissue Patent Application No. 09/859,661 if they were resubmitted with a Form PTO-1449. Accordingly, applicants have resubmitted copies of the declarations and the binder of documents for consideration by the Examiner together with a Form PTO-1449.

The declarations and the documents in the binder are listed below. Applicants have also resubmitted, and listed below, four U.S. Patents that were discussed in the attorney declarations and submitted in the previous Information Disclosure Statement, and have included these U.S. Patents on the Form PTO-1449.

U.S. Patents

| | |
|----------------|----------------------|
| Trojan et al. | Patent No. 5,297,032 |
| March 22, 1994 | |

| | | |
|-------------------|------------|-----------|
| Hartheimer et al. | Patent No. | 5,305,200 |
| April 14, 1994 | | |
| Togher et al. | Patent No. | 5,375,055 |
| December 20, 1994 | | |
| Tozzoli et al. | Patent No. | 5,717,989 |
| February 10, 1998 | | |

Declarations

Declaration of Stuart A. Fraser, February 1, 2002
Declaration of Howard W. Lutnick, February 5, 2002
Declaration of Bijoy Paul, January 31, 2002
Declaration of James Bollinger, Esq., February 19,
2002
Declaration of Bradley Ruben, Esq., February 5, 2002

Documents

Cantor Fitzgerald Draft Confidential, October 9,
1992

Portions of the Super System Software Source Code

Cantor Fitzgerald Securities Trading System Quick
Reference Guide for Brokers, October 1993, pp.1-28

Cantor Fitzgerald Super System Command List/Testing
Procedure, October 30, 1992

Cantor Fitzgerald Inc. Digital Distribution System
User's Guide, December 1993, pp. 1-17

Cantor Fitzgerald Trading System Description and
Internals, Draft 1/21/94, January 1994, pp. 1-50

Cantor Fitzgerald Trading System Description and
Internals, Draft pre-release 4/14/94, pp. 1-81

Cantor Fitzgerald Trading System Description and
Internals, Draft pre-release 4/22/94, pp. 1-90. (missing
pages 76 & 77)

Getting Started with CFTS Keyboard Entry Tutorial,
May 1995

Cantor Fitzgerald Screen Shots

Super System Initialization Code

Other Portions of Super System Software Code

Super System Objectives


Cantor Fitzgerald Trading System Description and Internals

It is respectfully requested that these events, as described in the declarations, and binder of documents, be: (1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) printed on any patent which may issue on this application. Applicant requests that a copy of Form PTO-1449 (submitted in duplicate herewith), as considered and initialed by the Examiner, be returned with the next communication.

Applicants believe that no fee is due at this time. However, the Director is hereby authorized to charge any fee, or credit any overpayment, that may be due in connection with this Information Disclosure Statement, to Deposit Account No. 06-1075. A duplicate copy of this Information Disclosure Statement is enclosed herewith.

An early and favorable action is respectfully requested.

Respectfully submitted,



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